

 **05hr\_SC-JCEDCA\_sb0623\_pt01**



(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...  
PUBLIC HEARING - COMMITTEE RECORDS**

**2005-06**

(session year)

**Senate**

(Assembly, Senate or Joint)

**Committee on ... Job Creation, Economic  
Development and Consumer Affairs (SC-JCEDCA)**

**COMMITTEE NOTICES ...**

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

**INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL**

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
  - (**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)
  - (**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

\* Contents organized for archiving by: Mike Barman (LRB) (August/2012)

## Senate

### Record of Committee Proceedings

#### **Committee on Job Creation, Economic Development and Consumer Affairs**

##### **Senate Bill 623**

Relating to: damages to rental vehicles, and granting rule-making authority.

By Senators Darling and A. Lasee; cosponsored by Representatives Stone, Hahn, Krawczyk, Albers, Petrowski, Townsend, Montgomery and McCormick.

February 22, 2006      Referred to Committee on Job Creation, Economic Development and Consumer Affairs.

March 1, 2006      **PUBLIC HEARING HELD**

Present:      (4)      Senators Kanavas, Zien, Lassa and Decker.

Absent:      (1)      Senator Reynolds.

##### Appearances For

- Andy Franken, Madison — Enterprise Rent-A-Car
- Eric Hoffman, Mequon — Enterprise Rent-A-Car

##### Appearances Against

- None.

##### Appearances for Information Only

- None.

##### Registrations For

- Bruce Werschem, Kaukauna — National Alamo Car Rental
- Scott Werschem, Sun Prairie — National Alamo Car Rental
- Brian Mitchell, Oconomowoc — WI Car Rental Alliance (WIRCA)
- Greg Hubbard — Hertz

##### Registrations Against

- None.

March 2, 2006      **EXECUTIVE SESSION HELD**

Present:      (5)      Senators Kanavas, Zien, Reynolds, Lassa and Decker.

Absent:      (0)      None.

Moved by Senator Zien, seconded by Senator Lassa that **Senate Amendment LRBa2577** be recommended for introduction and adoption.

Ayes: (4) Senators Kanavas, Zien, Reynolds and Lassa.

Noes: (1) Senator Decker.

INTRODUCTION AND ADOPTION OF SENATE AMENDMENT LRBa2577  
RECOMMENDED, Ayes 4, Noes 1

Moved by Senator Zien, seconded by Senator Reynolds that **Senate Bill 623** be recommended for passage as amended.

Ayes: (4) Senators Kanavas, Zien, Reynolds and Lassa.

Noes: (1) Senator Decker.

PASSAGE AS AMENDED RECOMMENDED, Ayes 4, Noes 1

James Michel  
Committee Clerk

**SENATE BILL 623 (LRB -4704)**

An Act to repeal 344.578 (2); to renumber and amend 344.57 (1) and 344.578 (1); to amend 344.574 (2) (a) 2., 344.574 (4) (b), 344.576 (3) (a) (intro.), 344.576 (3) (b), 344.576 (3) (c) and 344.579 (3); and to create 344.57 (1) (a) and (b) and 344.576 (2) (k) of the statutes; relating to: damages to rental vehicles, and granting rule-making authority.

**2006**

02-22.	S.	Introduced by Senators <b>Darling</b> and <b>A. Lasee</b> ; cosponsored by Representatives <b>Stone</b> , <b>Hahn</b> , <b>Krawczyk</b> , <b>Albers</b> , <b>Petrowski</b> , <b>Townsend</b> , <b>Montgomery</b> and <b>McCormick</b> .	
02-22.	S.	Read first time and referred to committee on Job Creation, Economic Development and Consumer Affairs .....	617
03-01.	S.	Public hearing held.	
03-02.	S.	Executive action taken.	
03-04.	S.	Report introduction and adoption of Senate Amendment 1 recommended by committee on Job Creation, Economic Development and Consumer Affairs, Ayes 4, Noes 1 ( <b>LRB a2577</b> ) .....	685
03-04.	S.	Report passage as amended recommended by committee on Job Creation, Economic Development and Consumer Affairs, Ayes 4, Noes 1 .....	685
03-04.	S.	Available for scheduling.	
03-06.	S.	Placed on calendar 3-7-2006 by committee on Senate Organization.	
03-07.	S.	Read a second time .....	701
03-07.	S.	Senate amendment 1 <b>adopted</b> .....	701
03-07.	S.	Senate amendment 2 offered by Senator Darling ( <b>LRB a2693</b> ) .....	701
03-07.	S.	Senate amendment 2 <b>adopted</b> .....	701
03-07.	S.	Ordered to a third reading .....	701
03-07.	S.	Rules suspended .....	701
03-07.	S.	Read a third time and <b>passed</b> .....	701
03-07.	S.	Ordered immediately messaged .....	701
03-07.	A.	Received from Senate .....	929
03-07.	A.	Read .....	929
03-07.	A.	Rules suspended and taken up .....	929
03-07.	A.	Read a second time .....	929
03-07.	A.	Ordered to a third reading .....	929
03-07.	A.	Rules suspended .....	929
03-07.	A.	Read a third time and <b>concurred in</b> .....	929
03-07.	A.	Ordered immediately messaged .....	929
03-08.	S.	Received from Assembly concurred in .....	720
03-13.	S.	Report correctly enrolled on 3-13-2006 .....	745
03-20.	S.	Presented to the Governor on 3-20-2006 .....	749
03-21.	S.	Report <b>approved</b> by the Governor on 3-21-2006. 2005 Wisconsin Act 173 .....	749
03-30.	S.	Published 4-4-2006 .....	757

**MOTION**

**Recommend Senate Bill 407**, relating to: eliminating an outdated reference regarding the calculation of the school levy property tax credit (suggested as remedial legislation by the Department of Revenue), for passage.

Aye X No       

**MOTION**

**Recommend Senate Bill 595**, relating to: obtaining, selling, or soliciting a telephone record that pertains to another person without the person's consent and providing a penalty, for passage.

Aye        No X

**MOTION**

**Recommend Senate Joint Resolution 61**, relating to: senate approval of certain agreements negotiated by the governor (first consideration), for adoption.

Aye X No       


**MOTION**

**Adoption of Senate Amendment 1 to Senate Bill 623**  
(See Attachment)

Aye X No       

**Recommend Senate Bill 623**, relating to: damages to rental vehicles, and granting rule-making authority, for passage as amended.

Aye X No       

Signature 

Date 3/2/2006

**MOTION**

**Recommend Senate Bill 407**, relating to: eliminating an outdated reference regarding the calculation of the school levy property tax credit (suggested as remedial legislation by the Department of Revenue), for passage.

Aye X No \_\_\_\_\_

**MOTION**

**Recommend Senate Bill 595**, relating to: obtaining, selling, or soliciting a telephone record that pertains to another person without the person's consent and providing a penalty, for passage.

Aye X No \_\_\_\_\_

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Aye X No \_\_\_\_\_

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(See Attachment)

Aye X No \_\_\_\_\_

**Recommend Senate Bill 623**, relating to: damages to rental vehicles, and granting rule-making authority, for passage as amended.

Aye X No \_\_\_\_\_

Signature Ted Vumm

Date \_\_\_\_\_

**MOTION**

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Aye ✓ No \_\_\_\_\_

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**Recommend Senate Bill 595**, relating to: obtaining, selling, or soliciting a telephone record that pertains to another person without the person's consent and providing a penalty, for passage.

Aye ✓ No \_\_\_\_\_

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**Recommend Senate Joint Resolution 61**, relating to: senate approval of certain agreements negotiated by the governor (first consideration), for adoption.

Aye ✓ No \_\_\_\_\_

**MOTION**

**Adoption of Senate Amendment 1 to Senate Bill 623**  
(See Attachment)

Aye ✓ No \_\_\_\_\_

**Recommend Senate Bill 623**, relating to: damages to rental vehicles, and granting rule-making authority, for passage as amended.

Aye ✓ No \_\_\_\_\_

Signature \_\_\_\_\_

Date 3/12/06

**MOTION**

**Recommend Senate Bill 407**, relating to: eliminating an outdated reference regarding the calculation of the school levy property tax credit (suggested as remedial legislation by the Department of Revenue), for passage.

Aye X No \_\_\_\_\_

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Aye X No \_\_\_\_\_

**MOTION**

**Recommend Senate Joint Resolution 61**, relating to: senate approval of certain agreements negotiated by the governor (first consideration), for adoption.

Aye \_\_\_\_\_ No X

**MOTION**

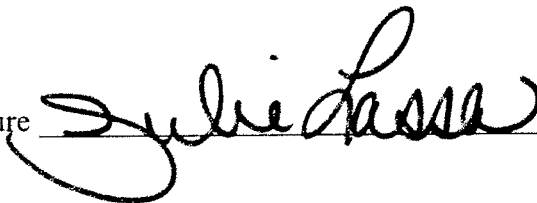
**Adoption of Senate Amendment 1 to Senate Bill 623**  
(See Attachment)

Aye X No \_\_\_\_\_

**Recommend Senate Bill 623**, relating to: damages to rental vehicles, and granting rule-making authority, for passage as amended.

Aye X No \_\_\_\_\_

Signature



Date

3-2-06



**MOTION**

**Recommend Senate Bill 407**, relating to: eliminating an outdated reference regarding the calculation of the school levy property tax credit (suggested as remedial legislation by the Department of Revenue), for passage.

Aye ✓ No         

**MOTION**

**Recommend Senate Bill 595**, relating to: obtaining, selling, or soliciting a telephone record that pertains to another person without the person's consent and providing a penalty, for passage.

Aye ✓ No         

**MOTION**

**Recommend Senate Joint Resolution 61**, relating to: senate approval of certain agreements negotiated by the governor (first consideration), for adoption.

Aye          No ✓

**MOTION**

**Adoption of Senate Amendment 1 to Senate Bill 623**  
(See Attachment)

Aye          No ✓

**Recommend Senate Bill 623**, relating to: damages to rental vehicles, and granting rule-making authority, for passage as amended.

Aye          No ✓

Signature

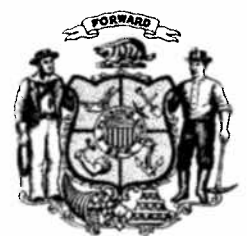
Ken Decker

Date

3-2-06



# WISCONSIN STATE LEGISLATURE





*The*  
**Hamilton Consulting Group, LLC**  
Legislative, Regulatory & Information Services

March 1, 2006

TO: Members, Senate Job Creation, Economic Development and Consumer Affairs

FROM: Andy Franken & Amy Boyer

**RE: SB 623 - Wisconsin Rental Car Transaction Legislation**

On behalf of Enterprise Rent-A-Car, we respectfully request you to support SB 623, relating to Wisconsin rental car transaction legislation.

- This legislation seeks to conform Wisconsin law with many other states – including our neighbors Minnesota, Indiana, and Missouri – concerning certain responsibilities of renters when renting vehicles.
- This legislation is crafted to better clarify the responsibilities of the renter and the rental car company. The legislation suggests several amendments to the current law:
  - Clearly defines the types of losses and damages that are the customer's responsibility by amending the reference to the word "accident" that has created confusion in the past based on an individual's definition of an accident.
  - Clearly spells out the damages and costs that are the customer's responsibility, including:
    - Actual and reasonable storage charges
    - The actual cost of repairs of the vehicle including all discounts, rebates and price adjustments the rental company would receive if and / or when the vehicle is repaired.
  - Clarifies responsibility for damages to the vehicle when someone other than an authorized driver is operating the vehicle.
  - Provides better disclosure to the customer by allowing the Damage Liability Notice to be part of the contract rather than a separate piece of a paper that could be lost, overlooked or not provided.
  - Clarifies the DATCP's role in the approval of the rental agreement. Providing the State an opportunity to ensure all rental agreements meet the DATCP's standards.
- This legislation creates a balance between customer responsibility, the rights of a business to protect its biggest asset and at the same time ensures the customer receives adequate protection and disclosure.



*The*  
**Hamilton Consulting Group, LLC**  
 Legislative, Regulatory & Information Services

**Comparison of other states' responsibilities of renters when renting vehicles:**

	Indiana	Iowa	Missouri	Kansas	Minnesota	Illinois	California	Wisconsin
<b>Define "Accident"</b>	No	No	No	No	No	No	No	Yes
<b>Requires 2 estimates</b>	No	No	No	No	No	No	No	Yes
<b>Separate form for damage waiver</b>	No	Damage waiver disclosure can be in rental agreement <u>or</u> in separate form	No	No	No		No	Yes
<b>Allows credit blocking for damages</b>	May not require blocking for damages... (does not prohibit, but does not permit the requirement)	No blocking of credit for damages	No blocking of credit for damages	No	No	No blocking allowed until agreement between rental company and renter on damages	No blocking of credit without expressed permission from customer	Yes